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12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

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15 MASSACHUSETTS MUTUAL) Case No.: 2:10-cv-01565-RLH-RJJ
16 INSURANCE COMPANY, MML)
17 INVESTORS SERVICES, INC.,)
18 Plaintiffs,)
19 vs.)
20 JAMES WENZL)
21 Defendants.)
22 _____

23 **JUDGMENT BY DEFAULT AGAINST JAMES WENZL**

24 Defendant JAMES WENZL, having been served with the Summons and Complaint, and
25 having failed to appear, plead, answer, or otherwise defend as to the Complaint of Plaintiffs,
26 MASSACHUSETTS MUTUAL INSURANCE COMPANY and MML INVESTORS
27 SERVICES, INC., the legal time having expired and not having been extended; it appearing that
28 said Defendant, JAMES WENZL, is not in the military service of the United States, is not a
minor, and is not an incompetent person; and the default of Defendant, JAMES WENZL, having
been duly entered according to law; upon an application of Plaintiffs, MASSACHUSETTS
MUTUAL INSURANCE COMPANY and MML INVESTORS SERVICES, INC., judgment is

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1 hereby entered against Defendant, JAMES WENZL, in accordance with the prayer of the
 2 Complaint and good cause appearing therefore:

3 IT IS ORDERED, ADJUDGED, and DECREED, that Plaintiffs, MASSACHUSETTS
 4 MUTUAL INSURANCE COMPANY and MML INVESTORS SERVICES, INC., recover of
 5 and from Defendant, JAMES WENZL, as follows:

6 1. The principal sum of FORTY FIVE THOUSAND DOLLARS (\$45,000) for the
 7 improper withdrawal/unpaid amount(s) from MassMutual's Agency Operations Account,
 8 Nevada State Bank Account No. xxxxxxx807;

9 2. The principal sum of NINETEEN THOUSAND FIVE HUNDRED SEVENTY-
 10 SIX DOLLARS (\$19,576.00) for the improper withdrawal/unpaid amount(s) from MassMutual's
 11 Agency Housing Account, Nevada State Bank Account No. xxxxxxx831;

12 3. Interest on the principal amounts, set forth in paragraphs 1 and 2, at the legal rate
 13 from the date of this judgment until paid in full, which equals \$9.29 per day;

14 4. Pre-judgment interest at the legal rate on the unpaid balances from the date the
 15 Summons and Complaint was served until the date of this judgment; up to August 24, 2011, the
 16 pre-judgment interest that has accrued is \$3,121.44 and an additional \$9.29 will accrue each
 17 additional day until judgment is entered¹; and

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25 1 The amount of interest is different than that shown in the Request for Entry of Default Judgment due to an
 26 inadvertent error in calculating the same. The amounts shown herein are the proper amounts pursuant to
 27 NRS 17.130.

5. Costs of suit in the amount of SIX HUNDRED SIX DOLLARS AND SIX CENTS (\$606.06).

DATED this 26th day of August, 2011.

UNITED STATES DISTRICT JUDGE

ALVERSON, TAYLOR, MORTENSEN & SANDERS

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